IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL WRIT PETITION NO.795 OF 2005

Dilip Machindra Dune ...Petitioner

Versus

Sou.Jayshri Dilip Dune & Ors. ...Respondents

.....

Mr.A.M.Utagikar for Petitioner.

None for Respondents 1 and 2.

Mr.K.V.Saste, A.P.P. for Respondent No.3.

.....

CORAM: A.M.KHANWILKAR, J.

APRIL 12, 2005.

P.C.

1. Heard Counsel for the Petitioner.

2. I see no reason to interfere with the conclusion reached by the Court below in enhancing the amount of maintenance from Rs.450/- (Rupees Four Hundred Fifty) to Rs.1,000/- (Rupees One Thousand) per month, which is founded on material on record to indicate that he yields income from

agricultural land, which is substantial.

3. Counsel for the Petitioner, however, contends that the said lands are held by his father and brother. The fact remains that it is joint family property and the Petitioner has share in the said income. Hence, dismissed.

A.M.KHANWILKAR, J.